NOTES OF REGULAR MEETING

MEETING PLACE: **Office of Chief Medical Examiner – OKC**
921 N.E. 23rd Street  Conference Room – 1st Floor
Oklahoma City, Oklahoma  73105.

DATE & TIME:  **August 8, 2019, at 10:00AM**

*** This symbol denotes the application and/or applicant is not in compliance with 235:1-1-2 (c) (14 day Rule)

A copy of this notice of meeting and agenda has been posted in a prominent location at the office of the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175, Oklahoma City, Oklahoma, on **August 2, 2019 at 3:00pm**
A copy of this agenda is available on the Funeral Board website at **www.ok.gov/funeral**

If you plan to attend a Board meeting for Continuing Education credit and would like a rough estimate of the length of time Board staff estimates the meeting might last, please email your request to **info@funeral.ok.gov**.

ORDER OF BUSINESS:  The Board may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or decide not to discuss any item on the agenda.

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1. **Roll Call**- Cooper, Highberger, Longanacre, Martin, Roberts, and Vice were present.

2. **Swearing in and oath of office for the appointment of Tom Coble**

3. **Discussion and possible action regarding election of Officers for FY20 Funeral Board.** Mr. Vice President, Mr. Highberger Vice-President

4. **Oklahoma Medical Examiner update by Amy Elliott and introduction of OKC office staff.** Amy introduced her staff from various departments and explained the different roles within the office. Amy also asked if Funeral Directors are experiencing any problem to reach out to her via cell phone at 405.343.8620

5. **Review complaints with possible vote for probable cause or other action**

   19-43 Unlicensed practice/FTC issues/overcharging- **Found Probable Cause**
19-44-Unlicensed practice/ Coercion- **Found Probable Cause**

19-50-Next Of Kin Issues- **Found Probable Cause**

19-53-Not Obtaining Transport Permit- **Found Probable Cause**

19-56-Unlicensed Practice/Advertising unlicensed location- **Found Probable Cause**

19-60- Not Obtaining Transport Permit- **Found Probable Cause**

20-01-Misleading Advertising- **Dismiss**

6. **Matters for consideration: Consent Order**

At the conclusion of the parties’ presentation and any questions or public discussion by the Board, the Board may in each complaint case:

i. consider and vote on motion(s) to conduct executive session(s) pursuant to 25 O.S.2011, Section 307(B)(8) to engage in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;

ii. if an executive session is held, designate a person to keep written minutes of the executive session;

iii. consider and vote on motion(s) to exit executive session and return to open meeting; and

iv. consider and vote on motion(s) regarding possible action to be taken regarding matter discussed in executive session.

6A. **Complaint 19-39 Stumpff Funeral Home & Crematory, Establishment, Bartlesville; Stumpff Corp. owner, and Scott Holz, Bartlesville, FDIC. Member Cooper needs to be recused.** The Board accepted a Consent Order with Stumpff Funeral Home & Crematory, Establishment, Bartlesville; Stumpff Corp. owner, and Scott Holz, Bartlesville, FDIC. on Complaint 19-39. The agreed violations were: violation of the Funeral Service Licensing Act, violation of Board Rules regarding advertising and ethics. The terms of the Consent Order consisted of the following: Respondents were assessed an administrative penalty of $1,500, the FDIC must complete 6 additional hours of continuing education with 3 of those required to attend
in person, and costs for $750.00

7. Matters for consideration: Motion to Enforce Compliance with Consent Order

At the conclusion of the parties’ presentation and any questions or public discussion by the Board, the Board may in each complaint case:

i. consider and vote on motion(s) to conduct executive session(s) pursuant to 25 O.S.2011, Section 307(B)(8) to engage in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;

ii. if an executive session is held, designate a person to keep written minutes of the executive session;

iii. consider and vote on motion(s) to exit executive session and return to open meeting; and

iv. consider and vote on motion(s) regarding possible action to be taken regarding matter discussed in executive session.

7A. Complaint 19-14 Heritage Funeral Home & Cremation Service, OKC, Establishment; Heritage Funeral Home & Cremation Service, LLC, Owner; and Christopher Harrison, OKC, FDIC. Member Highberger needs to be recused. The Board entered into a motion to enforce compliance with consent order with Heritage Funeral Home & Cremation Service, OKC, Establishment; Heritage Funeral Home & Cremation Service, LLC, Owner; and Christopher Harrison, OKC, FDIC for lack of compliance with previously signed consent order 19-14. Respondents were assessed an additional administrative penalty of $1,000, and costs of $1,320.00

8. Matters for consideration: Administrative Hearing

At the conclusion of the parties’ presentation and any questions or public discussion by the Board, the Board may in each complaint case:

i. consider and vote on motion(s) to conduct executive session(s) pursuant to 25 O.S.2011, Section 307(B)(8) to engage in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;
ii. if an executive session is held, designate a person to keep written minutes of the executive session;

iii. consider and vote on motion(s) to exit executive session and return to open meeting; and

iv. consider and vote on motion(s) regarding possible action to be taken regarding matter discussed in executive session.

8A. Complaint 19-33 Heritage Funeral Home & Cremation Service, OKC, Establishment; Heritage Funeral Home & Cremation Service, LLC, Owner; and Christopher Harrison, OKC, FDIC. Member Hihgerber needs to be recused. A hearing was held regarding failure to file a death certificate by Heritage Funeral Home & Cremation Service, OKC, Establishment; Heritage Funeral Home & Cremation Service, LLC, Owner; and Christopher Harrison, OKC, FDIC. The Funeral Home and FDIC were placed on 5 year probation and cost of $2,463.25 were put on a payment schedule.

9. Vote to affirm or disaffirm the issuance of the following licenses, registrations, certificates, dissolution or other action

A. Apprenticeship (Original) **Approved**
   1. Brianna Johnson, OKC, John Ireland FH & OMS, OKC

B. Apprenticeship (2nd extension) **Both Tabled**
   1. William Guess Leonard, Chelsea, Ford FS, Midwest City
   2. Jackie Halcomb, Antlers, Serenity FS, Antlers

C. Apprenticeship (4th extension) **Approved**
   ***1. Mikayla Wood, Mead, Brown’s Durant FS, Durant (grad of Commonwealth)***

D. Apprenticeship (FD only) **Both Approved**
   1. Jared Williams, Ada, DeArman-Clark FH, Tishomingo
   2. Cynthia Foster, Bixby, Leonard & Marker FH, Bixby
E. Funeral Director and/or Embalmer (Reciprocal) 1 & 3 tabled; 2 approved

1. Ronald C. Viss, Texas
2. Cheryl Ann Parr, Texas
3. Colin Boldien, Texas

F. Funeral Director and/or Embalmer (Original) 1 & 3 tabled; 2, 4, & 5 approved

1. Morgan Story, Edmond
2. Trang Ha, OKC (EM only)
3. Sarah Bell, OKC (EM only)
4. Michael Hart, Muskogee (FD only)
5. Joshua Good, Enid (FD only)

G. Establishments 1 tabled, 2, 3, and 4 approved, 5 denied.

1. Bixby FS, Bixby request to change name from Bixby FS to Bixby Funeral Service & South Pointe Cremation Center
2. Smith-Phillips FH, Ada request to change name from Smith-Phillips Funeral Home to Estes-Phillips Funeral Home
3. Brumley FH, Broken Bow request to change FDIC from Christopher Powers to Crystal Pratt
4. Prater-Lampton-Mills & Coffey FH, Hugo request to change FDIC from Christopher Powers to Candice Young
5. The Funeral Home, LLC, New Establishment; The Funeral Home, LLC owner; Kenneth Anglin, Jr. requested FDIC.

10. New Business. Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda. 25 O.S. Section 311.9. No new business was discussed.

11. Oklahoma Funeral Director Association Update by a representative of OKFDA Oklahoma Funeral Director Association Update by a representative of OKFDA-Joe Highberger reported. The fall 2019-district meetings begin September 12, 2019 in OKC. Summer Meetings will be during the end of July in Districts 1, 2 & 4. The annual conference will be April 19, 20, and 21, 2019 in
Thackerville, Oklahoma at WinStar Casino. Please check the OKFDA website for location information. Gordon has also met with the Oklahoma Insurance Commissioner and are discussing changing the CE hours required for a limited license. 12 hours of CE every other year was discussed. False phone calls have been reported regarding a Louisiana FTC employee calling funeral homes to check prices. If you have received such a call, please report it to Gordon.

12. Executive Director’s Report

A. Agency Financial update Mr. Ferguson reported gross receipts for July 2019 to be $10,237.50 with $575.02 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled $46,917.37 and net income after expenses totaled -$37,254.89

B. Oklahoma State Fair Senior Day: Board staff will be at the State Fair on September 18, 2019 talking to seniors about the Oklahoma Funeral Board. We will have a booth and information about the Board and the FTC.


13. Adjournment- 2:45pm

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Chris Ferguson
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: Thursday, September 12, 2019, at 10:00 a.m. Office of Chief Medical Examiner – OKC 921 N.E. 23rd Street Conference Room – 1st Floor Oklahoma City, OK 73105.